



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

February 23, 2004

Mr. Lloyd Drew
Columbia Sand and Gravel
P.O. Box 250
Intervale, New Hampshire 03470

CERTIFIED MAIL (7099 3400 0003 0687 1403)
RETURN RECEIPT REQUESTED
NOTICE OF PAST VIOLATION

Dear Mr. Drew:

The New Hampshire Department of Environmental Services, Air Resources Division ("DES"), conducted a file review of Columbia Sand and Gravel ("Columbia"), located on Route 3 in Columbia, New Hampshire, to evaluate compliance with State Permit to Operate FP-S-0126 ("the Permit") issued on October 16, 2000, and NH Admin. Rules Env-A 100 *et seq.* The records indicate that you are the owner of Columbia.

The file review indicated that for the second year in a row, Columbia failed to submit its annual emissions report to DES within the prescribed time frame. As a result of the file review, this Notice of Past Violation ("NOPV") is being sent to identify the following violations:

- Condition IX. General Reporting Requirements of the Permit and Env-A 907.01 require Columbia to submit an annual emissions report to DES. The report must include the actual emissions of each combustion device, the methods used in calculating such emissions, and information related to fuel characteristics and utilization. Beginning with calendar year 1999, the annual emissions report must be submitted to DES by April 15th for the previous calendar years emissions. DES received Columbia's annual emission report for calendar year 2002 on January 20, 2004.
2. Condition XI. Emission-Based Fee Requirements of the Permit and Env-A 704.01 requires Columbia to pay an annual emission-based fee. In accordance with Env-A 704.04, fees for each calendar year are due by October 15th for the previous calendar years emissions. On January 12, 2004, DES received a payment of \$254.39 from Columbia for calendar year 2002.

Due to the actions taken by Columbia to correct the violations, DES believes that no further action in response to the listed violations is required. DES requests that Columbia comply with all terms and conditions contained in the Permit. In the event that other violations are identified, DES may take further action against Columbia including issuing an administrative order, seeking administrative fines, and/or referring this matter to the New Hampshire Department of Justice for civil and/or criminal penalties.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Joseph Ritz (603) 271-1391, Compliance Bureau, Air Resources Division. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.state.nh.us/ard/ardrules.htm>, or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink is written over the word "COPY" in large, bold, black capital letters. The signature appears to be "P. Monroe".

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/jwr

cc: R. Scott, NHDES-ARD
M. Harbaugh, DES Legal Unit
R. Kurowski, EPA Region I
N. Cloutier, Chairman, Columbia Board of Selectmen
File AFS# 3300700094